**Harwich Planning Board Agenda**

**Griffin Room, Town Hall**

**732 Main Street, Harwich**

**Tuesday, February 13, 2018 - 6:30 PM**

**Call to order -** *Recording & Taping Notification: As required by law, the Town may audio or video record this meeting. Any person intending to either audio or video record this open session is required to inform the chair.*

**Public Hearing**

1. **Hearings**
2. ***Continued*: PB2017-32, Joshua A. & Jason D. Michniewicz, prospective owners under agreement, c/o David J. Michniewicz, P.E., representative.** The application seeks approval of a Site Plan Review Special Permit pursuant to the Code of the Town of Harwich §325-55. The proposal seeks to construct a 6,000 SF, six-bay commercial structure and certain appurtenant site amenities for construction industry use. The property is located at 45 Main Street Extension, Map 45, Parcel H2-1, in the I-L Zoning Districts. Con’t from 01/23/2018.
3. ***Continued*: PB2017-33, Stephen D. & Nancy Morris, owners, c/o Dan Speakman, representative.** The application with waivers seeks approval of aUse Special Permit for a detached Accessory Apartment pursuant to the Code of the Town Harwich §325-51.H and Article V Use Regulations. The proposal seeks to construct a 725 SF, one bedroom dwelling unit and a single bay garage. The property is located at 11 Oliver Snow Road, Map 24, Parcel B3-A, in R-R Zoning Districts. Con’t from 01/23/2018.
4. **PB2018-01, Outer Cape Health Services, as applicant, c/o Eliza Cox, Esq., representative, Building Down The Road, LLC, owner,** seeks approval of a Site Plan Review Special Permit with waivers with certain site improvements and a Use Special Permit for structures greater that 7,500 SF to establish a Medical Clinic / Office. The application is pursuant to the Code of the Town of Harwich §325-51 and -55. The property is located at 710 Route 28, Map 15, Parcel K2, in the C-V & R-R Zoning Districts.
5. **Zoning Amendment Public Hearing – Marijuana**

To see if the Town will vote to amend the Town’s Zoning Bylaw, Article V, Use Regulations, §325-14 Supplemental Regulations, to include a new paragraph “R” that would provide as follows; further to amend Article II §325-2 Word usage and definitions to include, “Marijuana Establishment – Recreational”, as follows; and further to amend Article V, Use Regulations, §325-13, Table of Uses, D. Paragraph IV, Commercial Uses and Attachment 1 – Table 1 by inserting said use into the Use Table, as follows:

**§325-14 Supplemental Regulations**

R. Marijuana Establishment – Recreational are subject to special permit review pursuant to §325-51 and site plan review pursuant to §325-55. Recreational marijuana establishments shall be prohibited as an accessory use in all zoning districts. Recreational marijuana establishments are subject to the following standards:

1. Recreational marijuana establishments shall be located in stand-alone facilities and shall not be allowed within a building or structure containing other retail, commercial, residential, industrial, or other uses.
2. A minimum separation of 1000 feet, measured between lot lines, is required between recreational marijuana establishments and state-certified public or private schools, state-licensed day care centers, public park, recreation facilities and/or religious facilities.
3. No building permit for a recreational marijuana establishment shall issue until the applicant has executed a Host Community Agreement with the Town pursuant to G.L. c.94G, §3(d).

Recreational marijuana establishments shall be subject to the zoning moratorium adopted as §139-37 of this Bylaw. Applicants may not apply for a special permit for recreational marijuana establishments prior to January 1, 2019.

**§325-2 Word usage and definitions**

MARIJUANA ESTABLISHMENT - RECREATIONAL

A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business as defined in G.L. c.94G, §1.

**§325-13, Table of Uses, D. Paragraph IV, Commercial Uses and Attachment 1**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Use | | RR | RL | RM | RH-1 | RH-2 | RH-3 | CV | CH-1 | CH-2 | IL | MRL | MRL-1 | WR |
| Paragraph IV – Commercial Uses | | | | | | | | | | | | | | |
| 46 | Marijuana Establishment - Recreational | - | - | - | - | - | - | SP | SP | SP | - | - | - | P |

**Public Meeting**

1. **New Business\***
2. **Minutes** for 1/9/2018, 1/23/2018 - Vote to approve.
3. **Old Business**
   1. **Proposed Zoning Amendments for Green Communities:** review and possible vote to refer to the Board of Board of Selectmen: As-of Right- Large-Scale Ground Mounted Solar Photovoltaic and related

1. **Briefings and Reports by Board Members**

**Adjourn**

*\*Per the Attorney General’s Office: Boards/Commissions may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following “New Business”.*

***Subject to Change / Next Planning Board Meeting – Tuesday, February 27, 2018***

The Town is not responsible for any errors in the electronic posting of this legal notice.

*Requests for accommodations for any person having a disability can be made by contacting the Administration Office at 508.430.7514.*

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